IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 13989 of 2004

Between:

G.Rambabu, s/o late Subramanyam Reddy,
r/o Bandarla Palli Village, Pakala Post & Mandal, Chittoor

District.

... PETITIONER

AND

1 A.P.State Road Transport Corporation, represented by its

Managing Director,
Musheerabad, Hyderabad-500 020.
2 A.P.State Road Transport Corporation, represented by its Regional

Manager,
Thirupathi Region, Chittoor District.
3 A.P.State Road Transport Corporation, represented by its Depot

Manager,
Alipiri Depot, Tirupathi, Chittoor District.

…RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ order or direction, particularly one in the nature of writ of mandamus declaring that the action of the respondents in not considering petitioenr's case for appointment on compassionate grounds for the post of

Conductor/Driver or any suitable post in pursuance of the proceedings No.E6/684(4)/2002-RM(T), dated 16-05-2003 as illegal, unjust, contrary to law, arbitrary and as such liable to be set aside with a consequential direction to consider his case forthwith in the interest of justice and fair play.

Counsel for the Petitioner: MR.B.VISWANATHA REDDY

Counsel for the Respondent No.: MR.P.VINAYAKA SWAMY

SC for APSRTC

The Court made the following ORDER

ORDER:

The petitioner is the son of an employee of the respondent-corporation, who died on 28-09-2001 in harness while on duty. The Petitioner represented that he made an application on 10-01-2002 to the second respondent for compassionate appointment. Second respondent in pursuance of the petitioner's application for compassionate appointment, called him for interview and subsequently did not pass any order regarding his appointment on compassionate grounds. The petitioner represents that he also made latest representation on 20-07-2003 with a similar request, which is pending with the second respondent.

2. When there is a scheme for providing employment to the dependants of the employees of the corporation, who died in harness, it is the duty of the respondent-corporation to provide employment on compassionate grounds.

3. Learned counsel for the respondents represented that the respondents could not consider the case of the petitioner for compassionate appointment for want of vacancies and they offered the petitioner Additional Monetary Benefit of Rs.1,00,000/- in lieu of compassionate appointment, but, since the petitioner did not accept the said proposal, it is for the respondents to consider the representation of the petitioner and pass appropriate orders.

4. In the light of the circumstances explained by the learned

counsel for petitioner, the second respondent is directed to consider the representation dated 10-01-2002 and subsequent representations for compassionate appointment and pass appropriate orders within two months from the date of receipt of a copy of this order.

The Writ Petition is disposed of accordingly. No costs.

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(DR. G.YETHIRAJULU, J)

August 9, 2004

MRR/SKM

To:

1 Managing Director, A.P.State Road Transport Corporation,

Musheerabad, Hyderabad-500 020.

2 Regional Manager,A.P.State Road Transport

Corporation, Thirupathi Region, Chittoor District.

3 Depot Manager, A.P.State Road Transport Corporation, Alipiri

Depot, Tirupathi, Chittoor District.

4 Two C.D. Copies.